

31044 U.S. PTO  
03/27/01

3-28-01

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PATENT  
ATTORNEY DOCKET NO.: 046700-5024

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents  
**BOX PATENT APPLICATION**  
Washington, D.C. 20231

31044 U.S. PTO  
03/27/01

**TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION  
UNDER 37 C.F.R. §1.53(b)**

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventors: Daniel ABESHOUSE, Scott W. ATKINSON, Anthony F. BERNARD,  
Daniel C. HECKMANN, Robert T. MONROE, Vincent F. RAGO and  
William D. RUPP

For: "METHOD, APPARATUS, AND SYSTEM FOR SYNCHRONIZING TIMING OF AN  
AUCTION THROUGH A COMPUTER NETWORK"

1. This is a new ☒ **Utility** ☐ **Design** ☐ **Plant** patent application.
2. The papers enclosed to obtain a filing date are as follows:  
52 Pages of Specification including  
1 Title Page  
8 Pages of Claims, and  
1 Page(s) of Abstract of the Invention, and  
12 Sheets of drawings containing 14 Figures  
☐ The enclosed drawing(s) are photograph(s), and there is also attached a  
PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)
3. Declaration and Power of Attorney by Assignee is:  
☐ Enclosed and is executed by all inventors.  
☒ Not Enclosed.  
This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
Applicant(s) await notification from the Patent and Trademark Office of the time  
set for filing the Declaration and paying the filing fees.

## 4. Language

☒ English☐ Non-English

This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

## 5. Assignment

☐ An assignment of the invention to \_\_\_\_\_ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

☒ An assignment will be filed at a later date.

## 6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

☐ Priority of the following foreign application(s) is claimed:

Country	Application No.	Filed

Certified copy(ies): ☐ is/are attached. ☐ will follow.

## 7. Priority based on provisional application(s) - 35 U.S.C. §119(e)

☒ Priority of the following provisional application(s) is claimed:

Application No.	Filed
60/259,432	December 29, 2000

## A. Relate Back - 35 U.S.C. §119(e)

- ☐ Amend the specification by inserting before the first line the sentence:  
 "This application claims priority of copending provisional application(s)  
 No. \_\_\_\_\_ filed on \_\_\_\_\_."

## 8. Small entity status

- ☐ Applicant claims small entity status. See 37 C.F.R. 1.27.

## 9. Fee Calculation (37 C.F.R. §1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$710.00 Design \$320.00
Total Claims (37 C.F.R. §1.16(c))	40 - 20 =	20	\$ 18.00 each=	+ 360.00
Independent Claims (37 C.F.R. §1.16(b))	6 - 3 =	3	\$ 80.00 each=	+ 240.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			\$270.00	+ 0
SUB-TOTAL =				1,310.00
Reduction by ½ for filing by a small entity				-
TOTAL FILING FEE =				\$1,310.00

## 10. Fee Payment

- ☐ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**  
 This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
 Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.
- ☒ Enclosed.  
 Check in the amount of \$1,310.00, representing a filing fee of \$1,310.00 is enclosed.

11. [X] **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

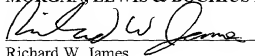
12. Additional papers enclosed:

- [ ] Preliminary Amendment
- [ ] Information Disclosure Statement
- [ ] Form PTO-1449, \_\_\_\_\_ references included
- [ ] Declaration of Biological Deposit
- [ ] Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

**Please accord this application an application number and filing date.**

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**



Richard W. James  
Reg. No. 43,690

Dated: March 27, 2001

**Customer No. 009629**  
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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Daniel ABESHOUSE, Scott W. ATKINSON, Anthony F. BERNARD,  
Daniel C. HECKMANN, Robert T. MONROE, Vincent F. RAGO,  
and William D. RUPP

Serial No. Not Yet Assigned

Filed: Concurrently Herewith

For: "METHOD, APPARATUS, AND SYSTEM FOR SYNCHRONIZING  
TIMING OF AN AUCTION THROUGH A COMPUTER NETWORK"

BOX PATENT APPLICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EF148246725US

Date of Deposit March 27, 2001

I hereby state the following papers are attached hereto:

Transmittal Letter (4 pages), U.S. Patent Application entitled "METHOD, APPARATUS, AND SYSTEM FOR SYNCHRONIZING TIMING OF AN AUCTION THROUGH A COMPUTER NETWORK", comprising a specification 43 pages with title page, claims (8 pages), Abstract of the Invention (1 page), drawings (12 sheets), and Check No. 3228 in the amount of \$1,310.00 for the filing fee

which are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Dawna E. Mozes

Typed or printed name of person mailing paper

Dawna E. Mozes

Signature of person mailing paper